

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

VALVED FENESTRATED TRACHEOTOMY TUBE HAVING OUTER AND INNER CANNULAE the  
specification of which  
(check one) X is attached hereto  
\_\_\_\_\_ was filed on \_\_\_\_\_ as  
United States Application Serial No. \_\_\_\_\_ or  
PCT International Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned
<u>09/398,110</u>	<u>September 16, 1999</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status-patented, pending, abandoned
<u>09/360,274</u>	<u>July 26, 1999</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status-patented, pending, abandoned
<u>08/996,282</u>	<u>December 22, 1997</u>	<u>U.S. Patent 5,957,978</u>
Application Serial No.	Filing Date	Status-patented, pending, abandoned

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Nancy J. Harrison, Reg. No. 27083; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088; Arland T. Stein, Reg. No. 28062; William B. Richards, Reg. No. 44301; Kenneth J. Waite, Reg. No. 45189; Thomas S. Reynolds II, Reg. No. 45262; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154; Michael S. Gzybowski, Reg. No. 32816;

revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Eric D. Blom  
Full Name of Sole or First Joint Inventor

Eric D. Blom  
Inventor's Signature

2000 West 106th Street

Carmel, Indiana 46290  
Residence and Post Office Address

\_\_\_\_\_  
Full Name of Second Joint Inventor, if any

\_\_\_\_\_  
Second Inventor's Signature

\_\_\_\_\_  
Residence and Post Office Address

\_\_\_\_\_  
Full Name of Third Joint Inventor, if any

\_\_\_\_\_  
Third Inventor's Signature

\_\_\_\_\_  
Residence and Post Office Address

\_\_\_\_\_  
Full Name of Fourth Joint Inventor, if any

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Residence and Post Office Address

USA  
Country of Citizenship

5/16/00  
Date

\_\_\_\_\_  
Country of Citizenship

\_\_\_\_\_  
Date

\_\_\_\_\_  
Country of Citizenship

\_\_\_\_\_  
Date

\_\_\_\_\_  
Country of Citizenship

\_\_\_\_\_  
Date

## PATENT APPLICATION

RECEIVED

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 16 2000

Group:

Serial or Patent No.:

JRG

Attorney Docket No.: 1069-66261

Filing or Issue Date:

Applicant or Patentee: Eric D. Blom

Invention: Valved Fenestrated Tracheotomy Tube Having Outer and Inner Cannulae  
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Hansa Medical Products, Inc.ADDRESS OF CONCERN 7440 North Shadeland Avenue, Suite 200  
Indianapolis, Indiana 46250-2027

I hereby declare that the small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(h) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled \_\_\_\_\_

by inventor(s) \_\_\_\_\_ described in  
☐ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Eric D. BlomTITLE OF PERSON OTHER THAN THE OWNER PresidentADDRESS OF PERSON SIGNING 7440 North Shadeland Avenue, Suite 200  
Indianapolis, Indiana 46250-2027SIGNATURE Eric D. Blom DATE 5/16/00